

MINUTES OF A REGULAR MEETING

BROOKLYN CITY COUNCIL

September 26, 2005

7:00 p.m.

The Mayor, Council and all in attendance recited the Pledge of Allegiance.

President Albier: "Would you call the roll please?"

Clerk Banish: "John Frey."
"Rich Albier."
"Kathy Pucci."
"Rita Brown."
"Colleen Gallagher."
"Greg Frey."
"Tom Coyne."

Councilman J. Frey: "Here."
Councilman Albier: "Here."
Councilwoman Pucci: "Here."
Councilwoman Brown: "Here."
Councilwoman Gallagher: "Here."
Councilman G. Frey: "Here."
Councilman Coyne: "Here."

President Albier: "Tonight's agenda: Request for approval for workmen's compensation selection for 2006; insurance renewal; Resolution 2005-13, Requesting the County Auditor to advance taxes from proceeds of the 2005 tax levies pursuant to Ohio Revised Code Section 321.34; Resolution 2005-14, Supporting the 2005 Cuyahoga County Board of Mental Retardation and Development Disabilities, a 3.9-mill replacement levy, and that'll be on the ballot as Issue #7; Resolution 2005-15, Proclaiming support of State Issue 1, amending the Ohio Constitution to authorize the issuance of general obligations of state to finance local government public infrastructure capital improvements, research and development of certain sites and facilities in Ohio, and to expand state and local government authority regarding economic development; Resolution 2005-16, Accepting the improvement target areas as designated by the county and approving the projects proposed to be funded, and the applications for assistance to be submitted under the Community Development Block Grant Program; Ordinance 2005-37, Authorizing inter-fund transfers and advances during 2005; and other matters that may come before Council. Now I'll have the approval of the minutes of the September 12th meeting."

Councilman Coyne: "Move to approve."

Councilman J. Frey: "Second."

Councilwoman Brown: "Second."

Clerk Banish: "To approve the minutes, John Frey."
"Rich Albier."
"Kathy Pucci."
"Rita Brown."
"Colleen Gallagher."
"Greg Frey."
"Tom Coyne."

Councilman J. Frey: "Yea."
Councilman Albier: "Yea."
Councilwoman Pucci: "Yea."
Councilwoman Brown: "Yea."
Councilwoman Gallagher: "Yea."
Councilman G. Frey: "Yea."
Councilman Coyne: "Yea."

President Albier: "Next is the public session, and to start off on the public session we're going to have a speaker talking about our gas program. Mark. He's from Volunteer Energy Services."

Mark Skaggs: "My name's Mark Skagg's, I'm with Volunteer Energy Services. I have been talking with the Mayor and several others on Council about the natural gas program for the City of Brooklyn. They have decided to, well, not as a city to endorse us, but the Mayor is going to be taken part of the program. And we are offering a variable rate now, which will be a guaranteed savings over top of the utility. And as far as the billing is concerned, it will still come from Dominion East Ohio Gas. Nothing will change in your bills. You're not leaving Dominion, you're going to be staying with Dominion as the transporter; but Volunteer Energy Services would be providing your gas. Now it could vary, because on a variable rate it's going to change from month to month. So your rate will go up and down with the market. Normally what we would do would be go out and hedge the gas for the warmer months so you know exactly what's coming out of your budget. But in the middle of the winter, at an all time high, it's not the time to go out and lock in for that period of time. Now what we are proposing to do is send out forms to each one of you, and those that wish to participate would fill out the simplistic form, your name, address and so forth, and phone number, and your account number from Dominion East Ohio Gas. And by sending it in you're saying that you would like to

participate in the program. And from that point you would be going month to month. Now I want you to understand there's no fee to be part of the program. And if at any point in time you decide you would like to go elsewhere or go back to Dominion, there is no exit fee whatsoever to exit the program. So basically, we're just offering it to the citizens of Brooklyn. And if you would like to give me a call, my telephone number is 614-856-3128 ext 232, and I'll repeat that for you again, 614-856-3128 ext 232. Now in knowing this, to let you know where natural gas are, next month, I'm sure you've been reading the paper, the natural gas market is volatile right now, the prices will still not be attractive from what you're used to seeing, yet we'll take some of the sting off of the prices that are sent out by Dominion. Next month's gas cost recovery, or the cost of the gas, is going to be \$13.22 an mcf from Dominion. Now we are guaranteeing we're going to be underneath that, and on a going forward basis, be underneath the utility. Oh, as well, the toll-free number for us would be 1-800-977-8374 ext 232. I'll repeat that again. 1-800-977-8374 ext 232."

Mayor Patton: "Council President, could I expand on this a little bit?"

President Albier: "Yes, go ahead Mayor."

Mayor Patton: "Again, this is a result of trying to find our residents a better cost for natural gas supply. In August there was an article in the Plain Dealer, which a spokesman for NOPEC stated, 'If you can find a better deal, take it.' Sounds like the Dodge commercial, doesn't it? Well we believe we've done this. In a letter from Robert W. Varley, the director of state and local affairs of Dominion East Ohio Gas, he wrote us a letter, 'Effective October 4, 2005, Dominion East Ohio sales customers will pay a gas cost recovery rate of \$13.22 per thousand cubic feet (mcf), up \$1.92 per mcf, or 17% from the previous gcr of \$11.30 per mcf. The new gas cost recovery (gcr) is up \$4.87 per mcf, or 58% higher, than the gcr of \$8.35 per mcf in the place during the same time a year ago. The average residential customer's bill for the month of October 2005 would increase to \$106.49, up \$33.33, or 45.6% from the \$73.13 that we paid back in October of 2004.' Also in a letter from Michael Canty, the Mayor of the Village of Bentleyville, who acts as our NOPEC director for Cuyahoga County, 'At this time each community and their residents have some decisions to make. As your NOPEC gas program ends, your residents have been switched to the regulated gas utility in your area.' Which means we defaulted back from International Gas Supply back to Dominion East Ohio Gas. 'They may wish to stay with that program until NOPEC finds a program that is better, or they may choose to shop for a better deal from a private supplier.' We believe we have a private supplier that will give us, and has guaranteed us, for one year, a lower price than Dominion East Ohio Gas. I'm signing up. Even if it saves me two cents, it saves. There's no one here, and no one in the business can guarantee you a tremendous savings for your natural gas bill. So this is the best shot we have at this time, I believe. We're not going to sign this card and walk away. And again, it's you, the resident, having to sign the card and send it in; it is not the city having a contract with this company, we will not. It will be you. There will be no cost for you to get out of your plan if you're with Dominion East Ohio, and no cost to get out at a later date, if you so choose. However, if you are in a contract with someone such as Shell Oil or another supplier of natural gas to you, check your contract, call their 800 number, find out the length of your contract, the guarantee per mcf that you're going to have this winter. If it's going to be higher than what Dominion East Ohio Gas is charging, get out of it, sign up with Volunteer Energy Services. So there's a lot to this. Our City Hall number is 351-2133, ask for the Mayor's office, and we will handle as many calls as we can. Other than that, Mark Skagg gave the numbers. And we're going to make sure these numbers are published. And again, information will be coming to your house. So please, be aware, be a good, what did you call it the one time John, a good consumer, a wise consumer. We have to pay attention because our gas bills, according to the US Government, are going to go up 71% this winter. So we have to pay attention to this. We believe this is the best offer we have out there, and thank you."

President Albier: "And Mayor, that's going to be mailed out this week, correct?"

Mr. Skaggs: "It will be mailed out, I'm getting everything together, and mailing it out ASAP."

President Albier: "And in the information there was a deadline, though, wasn't there?"

Mr. Skaggs: "It was a deadline. What happens if you don't meet the deadline for the previous month, which is usually the 14th of October would be for November, and so on and so on. And you could still get in the program, it just delays it a month, at that point in time. And anyone that's on a budget will still be on the budget, it will just lower itself at that point."

President Albier: "Thank you."

Mr. Skaggs: "Thank you."

President Albier: "Does anyone have anything else for the good and welfare of the City of Brooklyn? Please step forward."

Kit Krause: "Kit Krause, 4764 Heather Lane. Today I'm here to represent the Academic Boosters Club."

President Albier: "Kit, before you start, the last couple meetings I've been criticized that I haven't been holding my speakers to their three minutes. So try to keep your talk to three minutes please."

Mr. Krause: "I don't know if I can do that, but I'll try."

President Albier: "Okay."

Mr. Krause: "Short and sweet today. I won't even get into my paperwork as to what we stand for. Here today, really, just to go over our biggest fundraiser of the year of the Academic Booster Club, and that's our dinner. Wherever you see this around the city, around the city at all, whether it's the Rec Center, over here at City Hall, the Senior Center, whether you see it in the school system, Roadoan, Brookridge, Middle School, High School, there are tickets available. There are different forms available to order tickets. Where it comes to, this Carrabba's dinner, it's just a heck of a deal. It's an annual thing anymore. As a matter of fact, the 11 tickets that you ordered, Mayor."

Mayor Patton: "Thank you."

Mr. Krause: "A little clever way to hand the Mayor his 11 tickets. I think others here, like June Holop, with the ordering 10 tickets. There's great people out here that are ordering a ton of tickets. But it is time, because we don't have limits. I've been asked that today, if we have limits on tickets, no. There are limits as to when we hand this in, because the date of this dinner is October 7th. But we have to let Carrabba's know by next Monday, the 1st, again, there's the limit, because they have to know how many hundreds of people we're going to serve. Last year, a week ahead of time, we had number of 400, we served 615. So that last week, again, we took another 215 orders. We simply can't do that, we have to let Carrabba's know how many hundreds, hundreds of people we're going to serve. This is a great dinner, I don't have to go over it with you, again, with what we're serving. But if you have any information that you need, there is a number of 216-485-8199. And again, this 100% of our profits do go to the kids who are academically deserving, in all grades, kindergarten thru 12, it's not just seniors getting scholarships. We deal with awards in all levels. We're not broken down into different parts. So again, the Academic Boosters, it's simply a tremendous group, and this is the time of the year that we need your support. Thank you."

President Albier: "Thank you. Does anyone else care to speak? Okay, we'll now have reports from committees, commissions and boards, and the first is the Public Works Committee, and the chairperson of that is Mr. Greg Frey."

Councilman G. Frey: "Thank you Mr. President. We had a Public Works meeting tonight and we brought in our, the gentleman that's watching the construction on the new fire station, Roger, what's his last name? Riachi, to give us an update. And so let me see if I can share a little information with you. The completed work, the site was cleared and grubbed of all trees and vegetation. Topsoil was stripped and hauled offsite to allow for construction activities. Installed the silt fencing around the project for erosion and sediment control. All unsuitable materials were hauled offsite. The foundation footers and sections of the west retaining walls have been poured. There is work underway, we hope in October, to get our bids in order. We have to have a first bid and then a second, and then a final opening of the bids. And we hope to award the bids on the construction before the end of October. And we will see how much time we have in the construction season this year, and what we can get done during it. We're now pointing, we've had some delays, we're now pointing at November 1st of next year as when we hope to have our new fire truck in place in our new fire station. So that's the update. We will try to keep you informed as we move along. Everything

seems to be going maybe a little slower than we had anticipated, but everything is on track. That's all I have, thank you."

President Albier: "Thank you Mr. Frey. Next is the Public Safety Committee, and that's chaired by Mrs. Kathy Pucci."

Councilwoman Pucci: "Thank you Mr. Albier. I have no report this evening; however, I would like to announce that the Safety Committee will meet at 6 p.m. before our next Council meeting. We touched on this a little bit at our last Council meeting. We're going to discuss or explore how we as a city can make sure that our residents are informed regarding the sexual offenders in our area. And also, with all the talk of the speeders and traffic offenders, I'd like to discuss POPAS, which is Police On Patrol Arresting Speeders. This is an ordinance that we already have on the books, and I thought we could maybe revisit this topic and see if this could help us out with some of our traffic problems. And also, Mrs. Gallagher wanted to discuss the possibility for the Police Department to expand after the new fire station is completed into some part of the old fire station. I believe Mrs. Gallagher had some concerns from people regarding some of the conditions in the current police station, and we just want to make sure that we're going to be able to address those issues in the future. So that's at 6:00 before our next Council meeting. Thank you Mr. Albier."

President Albier: "Thank you Mrs. Pucci. Next is the Planning Commission, and the chairperson is Mr. John Frey."

Councilman J. Frey: "There hasn't been a Planning Commission meeting since the last Council meeting, but there will be one, I believe it's the first Thursday in October. And at the last Planning Commission I reported on this already, but there is a Chipotle's restaurant going in where we had the, what was the name of that?"

Councilman Coyne: "Schlotsky's."

Councilman G. Frey: "Schlotsky's."

Councilman J. Frey: "Schlotsky's grill. That's being refaced now, and that will become a Chipotle, and that company is owned by McDonald's. Then across the street near the Panera Bread company will be what's called a Wild Ginger Restaurant, and that's more or less an Asian food place. And that is from a family that lives in Wooster, has been in business there for 20 years or so, and this is their first venture outside of Wooster, Ohio. St. Thomas More, there was a lot split, and the Bishop now owns the convent on Brookway, and that is the home for Franciscan monks, or whatever you want to call them, the fathers that do the instructing at Padua High School. What are you laughing at out there Mr. Hilberg? And then on Associate Avenue we had a request for a lot split for someone to build storage units. And we more or less set that aside in the hopes of helping them find some type of industrial office building for that purpose. And that's it. Thank you."

President Albier: "Thank you Mr. Frey. Next is the Recreation Department, I'm the chairperson of that. We had our first meeting since summer on September 19th, and we had reports from our new manager, Sandy Balzer, and she told us what she's been doing there. And she had a lot of good ideas, and she presented three things to us. One was a youth/teen advisory council, another one was a fundraising, and a third one was a program ordinance. And when she gives a report tonight I'll let her expand a little bit on those. But she had a lot of good ideas, and she's been implementing a lot of good things. And the next Rec Board meeting will be the third Monday of next month. Next is the Finance Committee, and that's Mrs. Kathy Pucci."

Councilwoman Pucci: "Thank you Mr. Albier. The Finance Committee did meet earlier this evening and approved the following items. The first, approval for the worker's comp selection. We discussed this at our last meeting. We had a consensus that it was best not to go with a group but to go on our own with a retrospective rating with an additional insurance policy to reduce the potential economic risk to the city. The second item was a renewal of our insurance with Jackson and Dieken for \$179,255. And this actually is \$850 less than we paid the past year. Resolution 2005-13, requesting advances of our taxes from the County Auditor; Resolution 2005-14, supporting the Cuyahoga County Board of Mental Retardation and Developmental Disabilities 3.9-mill replacement levy; resolution 2005-15, supporting State Issue 1, which amends the Constitution to authorize the issuance of bonds to finance local government public infrastructure

and capital improvements, research and development, and to expand state and local government authority regarding economic development; Resolution 2005-16, accepting the improvement target areas that the county has designated, and approving the proposed projects that we're applying for funding for from the Community Development Block Grant; Ordinance #2005-36, authorizing inter-fund transfers and advances. We also did hear the information from the gentlemen from Volunteer Energy. That completes my report, thank you Mr. Albier."

President Albier: "Thank you Mrs. Pucci. Next is Domestic Violence and Legislative Update, and that would be Mrs. Gallagher."

Councilwoman Gallagher: "Thank you Mr. Albier. A Domestic Violence meeting was held on September 14th to discuss the roll of teachers in helping children of domestic violence. Our guest speaker was Margaret Leonard, the curriculum director for Brooklyn schools. Margaret gave us some insight of how our teachers are trained to recognize domestic violence. Teachers have to go through child abuse/domestic violence training in their first three years of teaching. Brooklyn schools have made a very strong commitment in their health program to address these issues. They are offering a Love and Logic course through a grant for parents on how to solve siblings' arguments, which is scheduled in October, and is a six-week session course. This course is open to the public, and you can call the Board office for more detail. Also, the month of October is dedicated to domestic violence awareness. And we are asking you to donate your old cell phone, working or not. Your old cell phone and battery can be recycled to raise funds that support victims of domestic violence or they can be given to domestic violence victims to call 9-1-1 in an emergency. Please drop your cell phones off at the Brooklyn Board of Education. School Board member Kevin Corp will deliver the cell phones at the end of the month to the Domestic Violence Center. And our next Domestic Violence meeting is scheduled December 14th at 6:30 p.m. in the Senior Center. Thank you."

President Albier: "Thank you Mrs. Gallagher. Next is the Zoning Board of Appeals. Mr. Ockington."

Comm. Ockington: "The September Zoning Board of Appeals meeting was cancelled due to lack of applications."

President Albier: "Thank you. That concludes the reports from committees. Next is the reports from Council. Tonight we start with Mr. John Frey."

Councilman John Frey: "Thank you Mr. Albier. As far as reports of Council, I want to thank everybody that has done their job this past couple of weeks. The city's looking good. The lawn cutting crew I feel, understand, is done at the end of September, which means those of us getting our lawns cut will have to find somebody to do it and pay for it, as the free service for the month of October is gone. And I suggest, Mayor, that we start thinking about elongating that service for an extra month. And one other thing that we could do that would be a first for your administration would be to pick up our leaves. Most seniors would appreciate that. However, I thank you for what you do, and that's all I have to report. No report."

President Albier: "Thank you Mr. Frey. Like I said in the past, the most phone calls I get always has to do with natural gas, and they've been picking up the last couple weeks. So all I can say, nobody can predict what the price of gas is going to be. So just watch your mail, and hopefully by the end of this week you'll get all this literature in there that they just talked about, and you can make your decision. And that's all I have. Mrs. Pucci."

Councilwoman Kathy Pucci: "Thank you Mr. Albier. First I'd like to offer my condolences to the family of Ernie Greco who passed away. They're long-time residents of our community. And Mr. Greco was an active member of the Brooklyn Republican Club. So my condolences to his wife Mary and their daughter Pam. I notice that our website now has the link that I requested to the Sheriff's page that lists the sexual offenders in our area, thank you for that Donna. But I did notice that we need to update the county's homepage, because they switched their address, and we're still going to the old homepage."

Mrs. Thompson: "Thank you."

Councilwoman Pucci: "Thanks. Regarding the opt-in program with Volunteer Energy, as the Mayor already stated, if you reverted back to Dominion East Ohio Gas from NOPEC you will not have a problem switching.

However, if you have a contract with somebody else, and we really need to stress this, that it's the resident's responsibility to first check and see which deal is going to be better for them, and also if there's going to be a penalty from their current supplier if they make this switch. So I think we really do need to stress that, that each resident has to make their own decision based on what their circumstance is. And I do believe most of our residents did revert back to Dominion East Ohio Gas, and they won't have a problem; but if you're one of the minority of residents that are getting their gas from another supplier, you need to check this out very carefully so you don't end up with a penalty. And lastly, I would just like to encourage everyone to support the Academic Booster Club, first by joining and becoming a member, it's only \$3; and also attending their fundraiser that's sponsored by Carrabba's. Thank you very much, that completes my report."

President Balbier: "Thank you Mrs. Pucci. Mrs. Brown."

Councilwoman Rita Brown: "Thank you Mr. Balbier. Kathy, on calling your Safety meeting, I would like to add something else for discussion. We are actually due for a report about the safety conditions at the garage after the summer session. The foreman there and Mr. Kappler... Is that Mr. Rae that is the foreman?"

Councilwoman Pucci: "Doug Rehker."

Mayor Patton: "Doug Rehker."

Councilwoman Brown: "Doug Rehker? Okay, Doug Rehker and Mr. Kappler promised to come back with a report on this after the summer session, conditions that they had with sand blowing into the garage, and several other things, their parking lot. So if we add that."

Councilwoman Pucci: "Okay, thank you."

Councilwoman Brown: "Okay? Good, thank you. I want to thank Chief Murphy. Last meeting I asked him for a list of the numbers of cell phone citations, because it seemed to me that we see an awful lot of drivers on the cell phones, and I was wondering if our Police Department was doing their job keeping an eye on them. So here are the numbers. For the year 1999, 76, 2000, 299; 2001, 256; 2002, 224; 2003, 250; 2004, 240; 2005, 290 so far, and we have three months to go. So Chief, I think our men are doing a credible job, and please thank them. Okay, well you know, I've taken a bit of a beating on the so-called wrath of Rita. Well, be assured this Rita is no hurricane. However, you know, this does not really apply to Brooklyn, but I thought you'd like to know, my daughter Rita lived in Port Arthur, Texas in the early 80s, and her two children have grandparents and cousins and aunts and uncles who live there. And the last word they had from them was the Thursday before the hurricane hit, and no one has heard from them since. So we don't have any idea where they evacuated to, if they all made it, if they have damage. So I'd appreciate a little prayer for their safety, even though they're long and far away from us. And we had a great community picnic yesterday sponsored by the Democratic Club. I have to say, it was the least political picnic that I have ever witnessed. It was very enjoyable, and I won some good door prizes. Thank you Craig Patton."

From audience: "You're welcome Rita."

Councilwoman Brown: "And let me see, I believe that completes my report. Thank you."

President Balbier: "Thank you Mrs. Brown. Mrs. Gallagher."

Councilwoman Colleen Gallagher: "Thank you Mr. Balbier. Good evening ladies and gentlemen. While walking door to door in one of our neighborhoods I was addressed by a resident concerned over a sexual offender that had moved in across the street. This gentleman went to the county's website, printed off the offender's picture and classification, which he then distributed to all his neighbors. As most of you know, all sex offenders must register with the sexual offenders unit of the Cuyahoga County Sheriff's Department. How often they register depends on the classification they are given and the wide range of offenses that can label someone as a sexual offender. According to the Sheriff's Department, Brooklyn has nine sexual offenders who are sexually oriented, which is a lesser charge that does not require community notification. We also have 24 sexual offenders in the immediate area surrounding our city. With the recent national tragedies concerning sexual predators, and the incident at our own Rec Center, I believe we as legislators

should do all we possibly can to safeguard our children. As most of you know, I work in Common Pleas Court, and the number of cases concerning sexual predators is rising. There is hope however, because from what I've seen, most of these cases can be prevented and a major tragedy averted. I would like to introduce legislation banning convicted sexual offenders from our parks, playgrounds and Recreation Center. This ordinance would deter sexual offenders from visiting the places where our children play by charging them with criminal trespassing if they are found in these areas. The legislation would also give our police officer some more leverage to protect our children from sexual predators. Finally, the legislation should heighten the awareness within our community that this is an increasingly dangerous problem that can be prevented. Parents, please be vigilant with your children. I have shed too many tears lately watching these preventable tragedies unfold in the court room. I would like to pass this legislation onto our Safety Committee, which we are holding next Monday, at next Council meeting, and I will pass this legislation onto our Law Director and our members for approval. I also would like to thank all the residents who attended the community picnic yesterday. The Democratic Club is very fortunate to receive the continuing support of our business community and our local politicians. I would also like to thank the club members who worked so hard to make our club such a success. I also received a call from a resident who requested more information about the Options for Elder program that they read about in the Chit Chat. I will read the information I researched in this case to you so you can pass it on, and also there is going to be a meeting at the Senior Center November 10th at 11:45 to inform you about the services. But the Options for Elder is a program designed to serve frail elders who have difficulty coordinating and financing home care services. The Options program benefits those seniors who are not eligible for Passport, the federal and state Medicare waiver program, targeted to low income seniors with limited assets and severe function limitations. To receive home care services through Options, clients must be 60 years plus of age, residents of Cuyahoga County, living in a private home or apartment, excluding assisted living residents, adult care homes, nursing homes and group homes. Eligible for support services based on assessment of need for assistance with daily activity such as bathing dressing, food preparation, managing expenses on a modest monthly income with limited financial reserves. Services available: medical transportation, emergency response system, adult day services, personal care, homemaker services, home delivered meals, and case management. And that's the information I have regarding that. And again, you can, the meeting at the Senior Center will be November 10th at 11:45, or call Kay Hutkay. Thank you. That completes my report."

President Balbier: "Thank you Mrs. Gallagher. Next is Mr. Greg Frey."

Councilman Greg Frey: "Thank you Mr. Balbier. I have two things tonight. Mayor, I would hope that we put together some information and have available for our residents whatever we can gather regarding energy assistance this year. The HEAP program or whatever public programs are available. We're going to have people out there that are going to suffer with bills, and I would hope that if we are able to respond to them any way that we can. And if we spend a little time putting it together now, maybe we'll be able to do a better job helping them later. The other thing I want to talk about, and I'm a little bit hesitant about it, but I'm going to do it anyhow. We've had some terrible tragedies in this country in the last couple of months with these hurricanes. Today I listened to a news report, and listened to two Louisiana senators, and some governors, Mississippi and Texas and what not; and they're drafting legislation in Washington to put together a \$250 billion spending bill to take care of hurricane relief. Now we need to respond to those people, they have great human needs and we need to respond to them. But we also need to bear in mind that \$250 billion is an awful lot of money. Washington loves to spend money. They are not so good at raising money, but they love to spend money. There is no amount that they aren't willing to spend. What may very well happen is the money that goes down there is going to be coming from the northeast, the Midwest, the west, and going down to the Gulf coast, the southeast, the southwest. They're going to build new infrastructure systems, new highways, new hospitals, new schools, new water/sewer systems. They're going to start from scratch and they're going to build. And then, us having sent a lot of money down there, we're going to then compete with them to draw businesses and jobs and what not back into this area; and at the same time we haven't made the investment in our own infrastructure, our own schools, our own water and sewer lines, highway systems and what not. I think that we need to be aware of this as a problem. And I think the federal government needs to start taking a look at where they spend our federal dollars. And if they're going to respond like that in the Gulf coast, and I have no problem with that, they need to take some of the other monies that come into the federal treasury, the NASA monies, the Department of Defense, Department of Homeland Security, Department of Transportation, Housing and Urban Development, Health and Human Services, the other departments, they need to start shifting some of those funds back towards the donor areas of the country, so that we level out the playing field a little bit. This could become a

real disaster for a lot of people in this area if we don't get some balance out of this. Now if I sound like Simon LeGree, I apologize for it, but this concerns me a great deal. And I think it ought to concern all of us. That's all I have Rich, thank you."

President Albier: "Thank you Greg, you bring up some good points. Mr. Tom Coyne."

Councilman Tom Coyne: "Thank you Mr. Albier. My condolences to the Greco family on the loss of Mr. Greco. And thank you to Kit Krause. Kit's always informative and he does an outstanding job for the economic (Academic) Booster Club, and I hope everybody takes advantage of the Carrabba's fundraiser. It's always a good time, I've been to every one so far, and always had a great time, enjoying it and meeting with people in Brooklyn. Thank you also to Chief Murphy, from myself and the other residents, we notice the increase of patrols on the Southwood area, Idlewood, keeping the traffic speeds down in those areas. Earlier this evening, at Public Works meeting, we got an update from our construction manager, Roger, on the new fire house. My concerns were the quality of work to be done due to the delays, winter coming up, cold weather pouring concrete, things like that, the rains we've had affecting the transportation of the fill that's being hauled in. And part of the concerns was the testing of the fill, primarily concerning the compaction of the soils that they're bringing in. It has to be compacted, I think they're doing one-foot lifts on that particular site, in avoiding hazardous material infiltration of that soil that's being brought in. This was discussed, and the testing company that we do have hired will be responsible for the 100% compliance of the soils that are brought in. I also asked for a twice a week report to be e-mailed to the Councilmembers, along with digital photos showing the progress, or lack of progress, whatever it may be, that'll keep us up to date on what's going on on that project. And that was all I had."

President Albier: "Thank you Mr. Coyne. That concludes reports of Council. We'll now have the Mayor's report."

Mayor Ken Patton: "Okay, thank you. For Issue 1, my staff contacted Susan Kay, who is the Director of the Ohio Municipal League, who strongly supports the passage of Issue 1, and we have a resolution for that this evening. But three reasons to pass Issue 1. It renews a 20-year old public works program; \$1.3 billion is to be used for infrastructure improvements such as street improvement, water improvement, sewer improvement. Second item was it provides job initiatives; the state puts up money to attract medium to high-paying jobs. Many of these jobs are research jobs in technical fields. And number three was, a portion of the funds are used for job-ready programs. If a city is on the verge of landing a company, but the street needs improvement and/or the water or sewer line needs to be updated, this program allows for this type of funding. Also, for Issue 7, which is the Cuyahoga County Board of Mental Retardation and Developmental Disabilities renewal 3.9-mill replacement levy, to assist those with mental retardation, other developmental disabilities. And this is to continue both services and programs for over 9,000 people in our county. And should this issue fail at the ballot, the Cuyahoga County Board of Mental Retardation and Developmental Disabilities will lose all of its funding and the matching federal and state dollars that go with it. So in short, the levy must pass. And the County Board of Commissioners actually has become the co-chairs of this levy. So we also have our resolution for that this evening. Congressman Kucinich wrote me. 'Dear Mayor Patton, thank you for contacting me about the funding for Amtrak and an improved passenger rail system. I appreciated hearing from you. Amtrak requested 1.82 billion in federal assistance for the year 2006, and emphasized it cannot continue to operate on the 1.2 billion current level of funding. The House version of 3058 would provide 1.176 billion for Amtrak for the year 2006. The Senate Committee on Appropriations has recommended 1.45.' And basically he's fighting to get Amtrak, which has a great deal of support through northeast Ohio, some funds that it could continue operating. So I'd like to thank Congressman Kucinich. At the next meeting I would like to announce that Judy Basniak, appoint Judy Basniak to Domestic Abuse Council. And if anyone else in Brooklyn is interested in joining that council, there is one open seat on that board. I'd also like to thank the Plain Dealer for hosting the Chamber of Commerce luncheon the other day, it was quite a treat. Got a nice tour of the new building also. Congratulations to the Brooklyn Historical Society. They had another Shunpike Shoppe. And if you've never been through the Historical Society, it's a good place to visit. A lot of new things you could see about how our city came to be. Without any objections, if there's any objections from Council, that the Mayor send a letter on city letterhead informing our residents pertaining to the natural gas offered this evening."

Councilwoman Brown: "No objection."

Mayor Patton: "Thank you. That'll go out as soon as possible. Congratulations to Fr. Vesely, who's been at St. Thomas More for over 18 years, he'll be retiring. And we wish him the very best. Also, the 8th graders at St. Thomas More are having a cardboard box campout retreat on Friday, September 20th from 7 at night until 8 the next morning. And this is going to benefit St. Malachi's Center, and they do a lot of work with the homeless. Donations will be collected, include garbage bags, work clothes, spray deodorants, shampoo, Vaseline, razors, cologne, socks, underwear and hooded sweatshirts; and any donation of checks please make payable to St. Malachi Center. Our Senior Center has a few things going. First of all, there's a waiting list for flu shots. And many people are very disturbed that they can't get in. The County Board of Health comes to Brooklyn each year, and we're one of the first ones to get a flu shot this year, and they have anywhere 275-300 I believe Kay said, shots. Many people did want to sign up, and they're on a waiting list. However, Kay did some homework and passed on that flu shots schedule at Tops on Ridge Road is going to take place on October 5th from 10-2 p.m., and also on October 31st from 3-7. So there are shots available, it just may not be at our Senior Center, that you'd have to go and get it. There's going to be an informative meeting regarding the new Medicare Part D on October 5th at 6:30 p.m. And this is where you're going to learn how to avoid paying late application fees, learn what everyone needs to know about the new Medicare Part D program, learn whether to keep current retiree's coverage. Presented by Ellen Puchalski and Clayton Rue, Safe Harbor Group. And please call the Senior Center to make your reservation at 635-4222. I'm sending Kay and Barb Stanton to a meeting, and the booklet they have is about four inches thick. So that's about as confusing as the natural gas. Moving on, the Octoberfest luncheon and dance is October 6th, the cost is \$7, and music will be by Bob Spiwak. Lunch starts 11:30, dancing begins at 1, and the tickets are at the Senior Center. The pancake breakfast will be Sunday, November 13th from 9-1, and the cost is \$4, children six years of age or under are free. And the tickets are available at the Senior Center. Computer classes are still available. The City of Brooklyn, in conjunction with Brooklyn Schools, is holding computer classes at Brooklyn High School. These classes are being offered to adults ages 50 plus. Classes are limited to 10 students each, so please register as soon as possible. They're starting October 3rd. And they involve internet and e-mail, also basic computers, working with files and Windows XP, word processing, micro word, and also advanced word processing. So please sign up as soon as possible. Cleveland Sight Center will be at the Community Center Thursday, October 20th from 9-12, please call for your appointment. There's also a hearing test on October 25th, 9-11:30, call for your appointment. Lutheran Hospital provides blood pressure readings every Tuesday from 1-2:30; and also our paramedics are there taking blood pressure on the second and fourth Thursdays, which is October 13th and 27th from 10-11. And if there's an emergency call, obviously they leave and go to the emergency. The Common Thread Quilt Club is hosting their quilt show on October 29th, which is a Saturday, and also October 30th, a Sunday. The doors open at 10 a.m. Admission is \$3. Free admission for Brooklyn seniors with complimentary ticket available at the Brooklyn Senior Center reception desk. The men's bocce league is league is looking for players. Games are played on Thursdays, so please contact Reno at 661-2767. Okay, the Cuyahoga County Prescription Assistance Relief Program is underway, and this Prescription Assistance and Relief Program is for residents to receive prescriptions at nominal cost. To be eligible a person must reside in Cuyahoga County, meet the income guidelines, have no other prescription coverage. An individual can earn a maximum of 16,000 or 25,000 for a married couple, and to receive an application or to get information you can call 216-443-7529 or stop in at the Senior Center to pick up an application. Pertaining to what, I think Councilman Frey brought this up, pertaining to HEAP, which is the Home Energy Assistance Program, the applications are available at the Senior Center. It opens in September and ends March 31st. This program helps low income persons meet the high cost of home heating. To qualify, applicants must meet the total household income guidelines. Households must report a total gross income for the past 12 months for all members, except wage or salary income earned by independent minors under the age of 18. Both homeowners and renters are eligible for assistance. Only those who live in federally subsidized housing where heat is included in the rent are not eligible. In addition to proof of income, HEAP applicants must submit a copy of the recent fuel bill or utility bill. Applications will be available at the Senior Center, community action agencies, libraries, county departments, and family services and utility offices. The Laurel Garden Club will have a floral tea. It's their second annual tea. It's a luncheon with dessert, fashion show by Dress Barn, Chinese raffle. Tickets are limited. The tea party will be held at the Brooklyn Community Senior Center on October 23rd from 1-4 p.m., the cost is \$20. You can purchase your tickets at the Senior Center front desk or call Barb Stanton at 398-5306. The Brooklyn Republican Club, Monday, October 17th will have their spaghetti dinner starting at 5:30, and then at 7 it goes to candidate night for the City of Brooklyn Council and Brooklyn School District candidates. For information call 351-8350. And I believe that's it. Thank you."

President Albier: "Thank you Mayor. Next is the directors' reports, and first is the Finance Department, however Mr. Fisk had some dental work this afternoon and is no condition to give us a report; so we'll move onto the Service Department, but Mr. Kappler is also out sick today, so we'll move onto the Building Department, and that's Mr. Ockington."

Comm. Ockington: "Thank you Mr. Albier. The site work for the new fire station is proceeding at the expected pace, and there have been no unexpected delays. The site should be ready for building construction to proceed in about five weeks. That concludes my report."

President Albier: "Thank you Mr. Ockington. The Police Department, Chief Murphy."

Chief Murphy: "No report President Albier."

President Albier: "And the Fire Chief is also out sick today. So we go to the Law Department, Mr. Shaper."

Director Shaper: "No report."

President Albier: "The Rec Department, Sandy Balzer."

Mgr. Balzer: "I'm here. A couple of things I just wanted to touch on. As Mr. Albier said, we had a Brooklyn Recreation Board meeting on September 19th, and we talked about a few different ideas. Establishing a youth/teen advisory council. I'm doing some research on that, to involve the youth and teens from our schools in the City of Brooklyn. And to get their ideas and advice on some things that they'd like to see take place in the Brooklyn Recreation Department to expand our programming across the board. I heard from a few parents this summer that it's a wonderful recreation center but everyone doesn't swim or skate, so they'd like to see a lot of different things going on. So I came up with, to expand our, almost like a shoot off of our Rec Board, to do a youth and teen advisory council. So I'm doing some research on that, and I'm going to be reporting back to the Rec Board. Another thing is fundraising, just for the youth sports in general. We're looking into some different avenues. They already, like the Brooklyn Hockey Association, they just had their golf scramble, raised a lot of money for Brooklyn Hockey. But I'm looking to try and look up into different communities are doing, have established a volunteer council of some sorts, or volunteer fundraising entity that got their own 501C-3 and became basically like Brooklyn youth supporters. Not to interfere at all with any of the Booster Clubs or anything like that, this is strictly in the research stage. So looking into that. The next is coming up with some ideas to draw up an ordinance to come before Council, and you'll hear more information on this, is to come and list categories, basically, from like a one time program to a six-week program, eight-week program, on up to like a 12-week program, and come up with a range for each of those programs, so that not necessarily, if something would come up and somebody would approach us for a one-time program... For instance, that could happen in the summer, maybe when Council's out of session, that we could just go for it and boom, bang the program out, and not have to necessarily come to Council for each specific program, and come up with more of a general ordinance. We're working on that, and that will go before the Recreation Board. Over at the Center we're doing some housekeeping and some cleaning. We have stripped and waxed the cardio vascular room and cleaned all the equipment, and also the racquetball courts should be finished within the next day. Court A is done and Court B we'll soon be done with it by Wednesday. On a side note, I just wanted to touch on something. I had a few friends, actually a group of about six or seven people, in coordination with PAWS of Ohio, and one of the vets on the east side, this last weekend, a couple of staff from Cleveland Metro Parks went down, seven people went down and took a big horse trailer and just, in regards to the hurricanes, over 2,000 animals are homeless. They brought back to this area about 65 dogs and cats that were homeless, that they rescued, that need homes. And I just wanted to put out there that if there is anyone in the City of Brooklyn that maybe lost a pet recently or is looking to expand their household by a pet, if you look into PAWS of Ohio, they just brought back actually Saturday morning, 60 dogs and I think four or five cats that need homes. So that's a little sidelight on the side. And that is my report, thank you."

President Albier: "Thank you. Next is audience remarks pertaining not legislation on the agenda. If anyone has any comments they'd like to make, only pertaining to the legislation. If not we'll move on. The first one is request for approval for workman's compensation selection for 2006, insurance renewal. This was discussed at the last two Finance Committee meetings, and it was recommended that we pass this. Does any Councilman have any comments?"

Councilwoman Pucci: "I move we approve for the worker's comp selection that we apply for the retrospective rating for 2006."

Councilman Coyne: "Second."

Councilman J. Frey: "Second."

Clerk Banish: "To approve, John Frey."
"Rich Albier."
"Kathy Pucci."
"Rita Brown."
"Colleen Gallagher."
"Greg Frey."
"Tom Coyne."

Councilman J. Frey: "Yea."
Councilman Albier: "Yea."
Councilwoman Pucci: "Yea."
Councilwoman Brown: "Yea."
Councilwoman Gallagher: "Yea."
Councilman G. Frey: "Yea."
Councilman Coyne: "Yea."

Councilwoman Pucci: "And then for the insurance I move that we renew with Jackson, Dieken and Associates for \$179,255."

Councilman Coyne: "Second."

Clerk Banish: "To approve, John Frey."
"Rich Albier."
"Kathy Pucci."
"Rita Brown."
"Colleen Gallagher."
"Greg Frey."
"Tom Coyne."

Councilman J. Frey: "Yea."
Councilman Albier: "Yea."
Councilwoman Pucci: "Yea."
Councilwoman Brown: "Yea."
Councilwoman Gallagher: "Yea."
Councilman G. Frey: "Yea."
Councilman Coyne: "Yea."

President Albier: "Next is **RESOLUTION 2005-13**. A Resolution requesting the County Auditor to advance taxes from the proceeds of the 2005 tax levies pursuant to the Ohio Revised Code Section 321.34."

Councilman Coyne: "Move to approve."

Councilwoman Pucci: "Introduced by all, suspend the rules."

Councilman G. Frey: "Second."

Clerk Banish: "Suspend the rules, John Frey."
"Rich Albier."
"Kathy Pucci."
"Rita Brown."
"Colleen Gallagher."
"Greg Frey."
"Tom Coyne."

Councilman J. Frey: "Yea."
Councilman Albier: "Yea."
Councilwoman Pucci: "Yea."
Councilwoman Brown: "Yea."
Councilwoman Gallagher: "Yea."
Councilman G. Frey: "Yea."
Councilman Coyne: "Yea."

Clerk Banish: "To adopt, John Frey."
"Rich Albier."
"Kathy Pucci."
"Rita Brown."
"Colleen Gallagher."
"Greg Frey."
"Tom Coyne."

Councilman J. Frey: "Yea."
Councilman Albier: "Yea."
Councilwoman Pucci: "Yea."
Councilwoman Brown: "Yea."
Councilwoman Gallagher: "Yea."
Councilman G. Frey: "Yea."
Councilman Coyne: "Yea."

President Albier: "Next is **RESOLUTION 2005-14**. Supporting the 2005 Cuyahoga County Board of Mental Retardation and Development Disabilities 3.9-mill replacement levy."

Councilman Coyne: "Introduced by all, suspend the rules."

Councilwoman Gallagher: "Second."

Clerk Banish: "To suspend the rules, John Frey."
"Rich Albier."
"Kathy Pucci."
"Rita Brown."
"Colleen Gallagher."
"Greg Frey."
"Tom Coyne."

Councilman J. Frey: "Yea."
Councilman Albier: "Yea."
Councilwoman Pucci: "Yea."
Councilwoman Brown: "Yea."
Councilwoman Gallagher: "Yea."
Councilman G. Frey: "Yea."
Councilman Coyne: "Yea."

Clerk Banish: "To adopt, John Frey."
"Rich Albier."
"Kathy Pucci."
"Rita Brown."
"Colleen Gallagher."
"Greg Frey."
"Tom Coyne."

Councilman J. Frey: "Yea."
Councilman Albier: "Yea."
Councilwoman Pucci: "Yea."
Councilwoman Brown: "Yea."
Councilwoman Gallagher: "Yea."
Councilman G. Frey: "Yea."
Councilman Coyne: "Yea."

President Albier: "Next is **RESOLUTION 2005-15**. Proclaiming support of State Issue 1, amending the Ohio Constitution to authorize the issuance of general obligations of state to finance local government public infrastructure capital improvements, research and development of certain sites and facilities in Ohio, and to expand the state and local government authority regarding economic development."

Councilwoman Pucci: "Introduced by all, suspend the rules."

Councilman Coyne: "Second."

Clerk Banish: "To suspend the rules, John Frey."
"Rich Albier."
"Kathy Pucci."
"Rita Brown."
"Colleen Gallagher."
"Greg Frey."
"Tom Coyne."

Councilman J. Frey: "Yea."
Councilman Albier: "Yea."
Councilwoman Pucci: "Yea."
Councilwoman Brown: "Yea."
Councilwoman Gallagher: "Yea."
Councilman G. Frey: "Yea."
Councilman Coyne: "Yea."

Clerk Banish: "To adopt, John Frey."
"Rich Albier."
"Kathy Pucci."
"Rita Brown."
"Colleen Gallagher."
"Greg Frey."
"Tom Coyne."

Councilman J. Frey: "Yea."
Councilman Albier: "Yea."
Councilwoman Pucci: "Yea."
Councilwoman Brown: "Yea."
Councilwoman Gallagher: "Yea."
Councilman G. Frey: "Yea."
Councilman Coyne: "Yea."

President Albier: "Next is **RESOLUTION 2005-16**. A Resolution accepting the improvement target areas as designated by the county and approving the project proposed to be funded and application for assistance to be submitted under the Community Development Block Grant program."

Councilwoman Pucci: "Introduced by all, suspend the rules."

Councilman Coyne: "Second."

Clerk Banish: "To suspend the rules, John Frey."
"Rich Albier."
"Kathy Pucci."
"Rita Brown."
"Colleen Gallagher."
"Greg Frey."

Councilman J. Frey: "Yea."
Councilman Albier: "Yea."
Councilwoman Pucci: "Yea."
Councilwoman Brown: "Yea."
Councilwoman Gallagher: "Yea."
Councilman G. Frey: "Yea."

"Tom Coyne."

Councilman Coyne: "Yea."

Clerk Banish: "To adopt, John Frey."

"Rich Albier."

"Kathy Pucci."

"Rita Brown."

"Colleen Gallagher."

"Greg Frey."

"Tom Coyne."

Councilman J. Frey: "Yea."

Councilman Albier: "Yea."

Councilwoman Pucci: "Yea."

Councilwoman Brown: "Yea."

Councilwoman Gallagher: "Yea."

Councilman G. Frey: "Yea."

Councilman Coyne: "Yea."

President Albier: "Next is **ORDINANCE 2005- 37**. An Ordinance authorizing inter-fund transfers and advances during 2005."

Councilman Coyne: "Introduced by all, suspend the rules."

Councilwoman Gallagher: "Second."

Clerk Banish: "To suspend the rules, John Frey."

"Rich Albier."

"Kathy Pucci."

"Rita Brown."

"Colleen Gallagher."

"Greg Frey."

"Tom Coyne."

Councilman J. Frey: "Yea."

Councilman Albier: "Yea."

Councilwoman Pucci: "Yea."

Councilwoman Brown: "Yea."

Councilwoman Gallagher: "Yea."

Councilman G. Frey: "Yea."

Councilman Coyne: "Yea."

Clerk Banish: "To adopt, John Frey."

"Rich Albier."

"Kathy Pucci."

"Rita Brown."

"Colleen Gallagher."

"Greg Frey."

"Tom Coyne."

Councilman J. Frey: "Yea."

Councilman Albier: "Yea."

Councilwoman Pucci: "Yea."

Councilwoman Brown: "Yea."

Councilwoman Gallagher: "Yea."

Councilman G. Frey: "Yea."

Councilman Coyne: "Yea."

President Albier: "Does the Mayor or any Councilman have anything else they wish to bring before Council?"

Councilwoman Gallagher: "Mr. Albier, may I be recognized?"

President Albier: "Yes Mrs. Gallagher."

Councilwoman Gallagher: "Mayor Patton, I have some literature from the Domestic Violence Center, can you put it up at the front desk please?"

Mayor Patton: "Sure."

Councilwoman Gallagher: "Thank you."

Mayor Patton: "Thank you."

Councilwoman Gallagher: "That's all."

President Albier: "Can I entertain a motion to adjourn?"

Councilman Coyne: "So move."

Councilwoman Pucci: "Second."

Clerk Banish: "To adjourn, John Frey."

Councilman J. Frey: "Yea."

MINUTES OF A REGULAR MEETING
BROOKLYN CITY COUNCIL
September 26, 2005

-14-

"Rich Albier."
"Kathy Pucci."
"Rita Brown."
"Colleen Gallagher."
"Greg Frey."
"Tom Coyne."

Councilman Albier: "Yea."
Councilwoman Pucci: "Yea."
Councilwoman Brown: "Yea."
Councilwoman Gallagher: "Yea."
Councilman G. Frey: "Yea."
Councilman Coyne: "Yea."

Meeting adjourned at 8:40 p.m.

Asst. Clerk of Council

MAYOR